

## **State Policies and Conflicts in the Access of Coastal Resources: a Comparative Study of Small-Scale Fishermen**

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### **Introduction**

There are two main different physical features of Thai gulf in the east of southern Thailand-outward sea (Thai gulf) and inward sea (sub-bays of Thai gulf). Inward sea is the place receiving fresh water from main rivers flowing to the sea and mixing with salt water, resulting in brackish water. Moreover, there are many integrated physical features such as sea shores, mangrove forests, rivers and canals, sea grass natural coral, etc. The mangrove forests scattering throughout the shore are muddy estuary inhabited by various kinds of animals such as birds, shellfish, crabs and fish. These animals live, breed and seek for food at mangrove forests. Therefore, the inward sea is fertile with various species of plants and animals, creating a food chain in that area (Wongratana, 1985). The fertility of the resources attracts many groups of people to immigrate to the area and settle down to do fishing at the shore or river banks connecting to the sea.

Most of the fishermen earning a living in the sub-bays of Thai gulf are village fishermen or small group fishermen. There are two ethnic groups: Thai Buddhist people and Thai Malayu Muslim people. In 2004, the Southern Provincial Fishery Office had surveyed the number of fisherman villages in six provinces in the east shore of the south, consisting of Chumphorn, Surat Thani, Nakhonsrithammarat, Songkhla, Pattani and Narathivat. It was concluded that there were 1,241 villages and five communities.

Since 1948, the sea resources utilization has been controlled by the state. The authority in local resources management was gathered in the center. After that, sea fishing has been developed until different versions of the National Economic and Social Development Plan were used. When considering the policy implementation, it was found that the state emphasized commercial fishing and neglected small group fishing. The inequality in development between large-scale fishery and small-scale fishery has

affected the small-scale fishermen in both ethnic groups. They were exploited by those who had more money. At the same time, it is hard to prevent other groups of people to use the resources in the shared area.

The method that the state brought to divide the development plan into parts was division of the used area. It was divided into two areas—the commercial fishing area and the shore fishing area. In the commercial fishing area, the state allowed people to access the resources in an open manner. In this style, people who had more opportunity gained more profit from the resources. In addition, there were policies to support the fishing industry for export, and the investment opportunities were unlimited. The excessive fishing caused the fishing areas in Thai gulf to decline (Research Data and Dissemination Section in the Project on Coastal Resources Management of the South, 1999). As for the shore fishing area, there were strict controls in fishing in both the use of fishing devices and the use of some parts of the area. For example, it was forbidden to do fishing in the plant conservation area and the aquatic animals conservation area of marine national parks. Apart from that, small fishing groups rarely received the state's development. If there were any helps, they would be provided under the state's specified conditions. For instance, fishermen must gather together to be cooperative forms which did not correspond to the way they earned their living. Most of them did fishing independently and labor came from their families.

By the year 1973, Thai commercial fishery confronted with problems caused by the economic area expansion of the neighboring countries. Therefore, the government at that time emphasized the mangrove water fishing instead (Sirichai-ekkawat, 2001). The shore aquatic animals breeding policy was declared in the Fourth National Economic and Social Development Plan (B.E.2520-2524). The commercial areas were expanded into the sub-bays to substitute the deep sea fishing areas which were decreased. In addition, the policy aimed to compensate the decline of sea resources resulting from excessive fishing of commercial fishery.

The shore aquatic animals breeding policy increased conflicts for small fishing groups because such policy not only used the sub-bays to be the main economic areas of the state but also changed the previous fishing areas to be the private economic areas. Moreover, the open laws were used to provide opportunities in gaining profits to several groups of people. For example, some groups were provided chances to possess the sea areas, capitalists had chances to breed and grow water animals in order to gain

unlimited profits and the land in the sea could be traded or exchanged without ownership document.

The shore became the open area which many groups of people in both state and local levels compete to occupy. This caused the small-scale fishermen groups to lose their fishing area. At the same time, there were conflicts between the fishermen and the state, also between fishermen and other groups of people, as well as among different groups of fishermen themselves. The conflicts arose from the inequality in resources access. Therefore, the sea fishing development policies of the state were the important causes which made the sub-bays in the eastern north to be the direct conflict areas.

This study puts an emphasis on the contexts and the forms of the coastal resources access of two small-scale fishermen groups—Thai Buddhist fishermen and Malayu Muslim fishermen. The study also involves the analysis of conflicts arising from the sea fishing development policies, the tactics in negotiation and the adaptation of the two fishermen groups.

### **Concepts Used in the Study**

In this study, four concepts were employed to be the tools of the analysis: the concepts of space, property relation, cultural ecology and political ecology.

The concept of space was one specific to the shores which are the sub-bays of Thai gulf since they are the conflict areas where the small-scale fishing groups earn their living. The concept about the space which was used is the process of defining. It consists of giving meaning and snatching meaning. Many groups of people utilized the same area, and the area was defined by different groups. Thus, the definition of each space was varied depending on the criteria which each group chose to define the area. Therefore, in the analysis it must be considered that how the ideas of each group differentiated from each other and how they created and snatched the definition? Defining and snatching definition between groups always occurred. For instance, the state used the policies and the law authority to be parts of creating definition process. Consequently, it was needed to be considered that under the state's defining, how the areas were changed, which groups were provided chances to access the resources and how each group accessed the resources?

The concept of property relation which was used in this study began with the argument arising from the interpretation about the property rights system between the open access and common property. These two property rights system were used as a foundation in discussion of the findings. The concept about the property relation might be analyzed under the condition of conflicts and the condition of deficiency. The conflicts in the meaning of the property relation would occur when the former area definition was overlapped and substituted by the new definition. For example, using the private property system, the state provided unequal opportunities in resources access for each group. In the analysis, it would be considered that what negotiation strategies such groups used to access the resources under this condition. For the condition of deficiency, it involved the using and snatching of the areas which were limited, especially when the state managed the new relation system for the areas and divided the areas into parts such as personal areas, authorities' areas, conservational areas, etc. Meanwhile, the small-scale fishermen groups still wanted to use the areas in sharing style because they saw that the state's resources management policies were unfair. This led to the area snatching between different groups of people under different forms of negotiation and adaptation. In addition, the concept about the property relation is related to the defining since the area property rights depended on human's defining. Particularly, the thinking systems in defining between the state and the villagers were different. The perspective taken in the analysis emphasized the state's management of new relation to the area, including the formulation of policies, the use of the state authority through the law to control the areas and people who use the areas, as well as the establishment of the representative sub-institutes to work at the local level. Such process caused the shore fishing area to have the dimension of the authority relation to be involved which led to the conflicts. This article emphasizes the analysis of the conflicts related to the ownership system. That is because the conflicts occur when a person or groups of people define, understand the definition or manage the resources under different ownership systems.

The concept of cultural ecology was a study method employed to analyze the relation system in different dimensions. These dimensions were the relationship between human and natural system in the areas they earned their living, the relationship between groups of people earning a living in the shared area, the relationship between groups of people in the local level who utilized the same areas under the changed social conditions and contexts etc. However, the cultural ecology was unable to describe new social phenomenon which complicatedly occurred in many areas, particularly the conflicts about natural resources arising from external factors such as the state and

market system. Apart from that, there were also internal factors such as the local authority groups who used their power to manage the areas under the support of the law providing chance to do it. Another internal factor was the collaboration between groups of capitalists and local authority groups. Since the communities had to be related with several systems which were larger and more complicated than those in the past, the forms of area utilization were changed and more complicated. This also extremely affected the ways of live of the small fishing groups. Therefore, the concept of the political ecology was needed to help analyze the issues which could not be described by cultural ecology.

### **Research Methodology**

There are two main physical features in the east shores of the south—Thai gulf sea and the sub-bays of Thai gulf. The physical features cause small-scale fishermen in different areas to have different problems. Thai Gulf Sea is always sneakily fished by fishery ships using large seine. The problems in Thai Gulf Sea are the conflicts between commercial fishing groups and small fishing groups. For the important sub-bays of Thai gulf, since they have been announced to be the aquatic animals raising are, there are conflicts on both state level and local level. These four places consist of Thung Kha Sawi bay in Chumphorn, Ban Don bay in Surat Thani, Pak Phanang bay in Nakhon Srithammarat and Pattani bay in Pattani. There are interesting features in these bays since they are coastal wetlands which are important for the daily life of the surrounding villagers. In addition, these bays consist of various kinds of resources. In the four bays, there are two bays which have problems about conflicts in resources utilization for a long time. To solve the problems, the small fishing groups gather together to negotiate about the shore resources access. Those two bays are Ban Don bay in Surat Thani and Pattani bay in Pattani. Thus, such two bays are suitable to study about the conflicts. The author has selected small-scale fishermen communities which have the groups of villagers gathering together to create the power to negotiate for a long time. Meanwhile, they are communities which have religious differences. The first mentioned community is the Thai Buddhist fishermen in Cha-nger village who earn a living in Thongpuek bay and Tha Na bay (sub-bays of Ban Don bay) in Takienthong Sub-district, Kanchanadit District, Surat Thani. The second community is the Malayu Muslim fisherfolk in Da To village who earn a living in Pattani bay, Laem Pho Sub-district, Ya Ring District, Pattani. The two communities were chosen to be the case study.

This study was a qualitative research which gave the main significance to the field data. The data were collected by means of participatory observation and interviews with 16 key informants along with seven groups of informants, including fisherfolks, community leaders, capitalists in the communities, state officials, officials of private development organizations and local politicians, 38 and 32 of whom were from Changer community and Da To community respectively.

### **The Communities' History in the Contexts Relating to the State**

#### **The Thai Buddhist Fishermen Community in Cha-nger Village**

Cha-nger community is located at the shore straight to the middle of Ban Don Bay. The community was set up at the beginning of Rattana Kosin era, but the evidence was officially revealed in the reign of the King Rama V. At that time, Thailand, was governed by the *Thesaphiban* system (control over territory administrative system). The state combined Chaiya city and Kanchanadit city together. The new city was called Chaiya city. The central pavilion was set up at Ban Don village (in Muaeng District, Surat Thani) which at that time was in Kanchanadit Sub-district. At that moment, Changer community was ruled by Chaiya city, and Chaiya was under the governance of Chumphorn Precinct (Songmuang, 1982). Then, in the reign of the King Rama VI, Surat Precinct was established in 1916. After that, Cha-nger community was ruled by Surat Precinct (Akkhasaeng, 2005). When the *Thesaphiban* system was canceled after the governance reformation in 1932, Kanchanadit city was transformed into district called Kanchanadit District and changed into the provincial governance. Since then Cha-nger community was combined to be a village of Takhien Thong Sub-district, in Kanchanadit District Surat Thani Province.

The reason for choosing Cha-nger area to be the dwelling place of the villagers was the fertility of the ecological system in this area. The natural environments were very important for the existing of the community. There were a deep jungle in the south, the rice field in the east and the sea in the north which had the shore full of thick rhizophora forest. In the west, there was a canal which was formerly called Khong Changer by the villagers. They used this canal to be their route to go to fish at the bay. Moreover, it was used for transportation between communities which connect to the same sea. In addition, there was Bang Hai Thiem, the route which the villagers used to go out to earn their living in the sea.

The varieties and the fertility of natural resources had attracted people to settle down. Noticeably, since Cha-nger was the community which the state authority had not expanded to it thoroughly, various kinds of people accessed the area to search for a new place where they could earn their living. For example, the official's prisoners or someone who stealthily escaped from guilt would hide themselves in this area. Another group was Chinese people who accessed the area for trading. Therefore, the people in the community were not native people, but they were people who outmigrated from the areas which were under the responsibility of Chumphorn Precinct, Surat Precinct and Nakhon Srithammarat Precinct. Most of them outmigrated with their families and groups of relatives.

The location of Cha-nger village bordered a canal which was close to the bay. Although this location was suitable for both farming and fishing, the villagers gave more significance to farming area than to coastal area. Primitively, groups of emigrating people gathered together to create a community on the foundation of farmer culture while fishing was only their complimentary job. Small portion of them did fishing as their major career. The *Thesaphiban* system in the King Rama V's reign allowed the state to have the direct authority to rule localities through regulation management of precincts and sub-units in province level, district level sub-district level and village level. However, the location of the community was in the outer part which was far away from the central part of the precinct, so the tax collecting in the former period could not approach the villagers, especially the land tax or the farming tax. Ownership in farming land or owning farming land was known among the villagers. They knew what areas belonged to what people. They did not need the land tax receipt or the farming revenue to indicate their right in their land. After that, the third generation of Cha-nger villagers owned less farming area due to the increase of family member. As a result, farmers changed themselves to be fishermen, which was their adjustment under the support of the varieties of natural resources at the area. Richness in aquatic animals helped the villagers to easily adjust themselves in fishery. However, physical conditions and geographical conditions took important part in making Cha-nger community to be a faraway village of the precinct which was in the outer part of the central state authority.

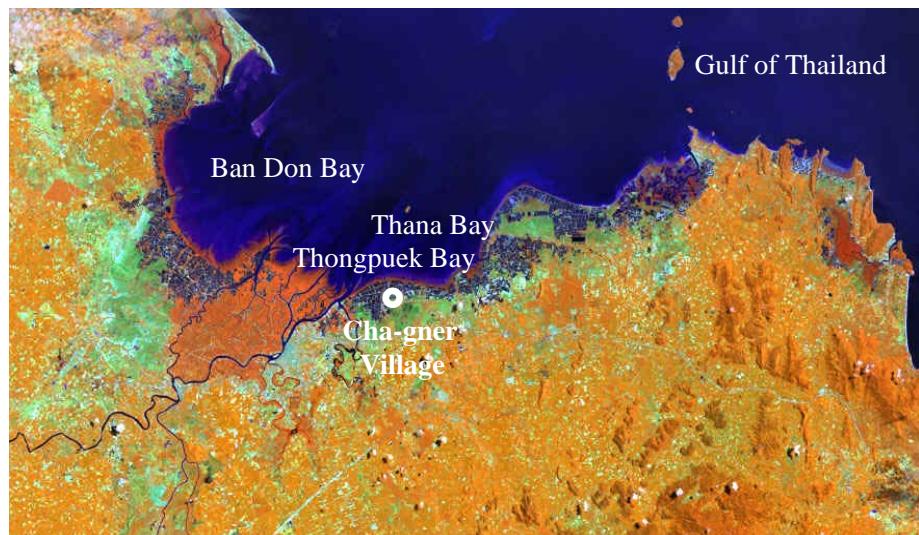
Cha-nger village as a faraway village was developed by three foundations. Firstly, the varieties and the fertility of the ecological system provided more choices for Cha-nger villagers to adapt themselves. Next, the varieties of groups of people immigrating to the same area caused people to stay in groups in order to help each other. This was helped by relative relation network and career relation. Lastly, since the

community was far from the central authority, it was growth by self-depending in family and relative levels. In addition, they created the exchanging network between localities which have different resources.

The growth of the community was independent from the central administration system to a great extent. The villager rarely relied on the state throughout the growth, but basically depended on family and relatives. The self-depending in the individual level made the Cha-nger villagers to have high sense of self. The decision of the villagers depended on the small benefit groups among family and relatives. When the state used the authority to snatch the resources, it was easily entailed conflicts between the state and the villagers. Moreover, the villagers did not accept all the development steam from the state. Besides, there had been the creation of the local sub-authority to negotiate with the state authority and the capital authority since 1977. The villagers never received any encouragement from external organizations. Figure 1 shows the geographical features of Cha-nger village.

**Figure 1**

**Map showing Cha-nger village's location in Takhien Thong Sub-district, Kanchanadit District, Surat Thani Province (picture taken by a satellite in 2002, provided by the South Geological Informatics Office, Songklanakharin University, Songkhla Province)**



### **The Malayu Muslim Fisherfolk of Da To Village**

The small-scale fishermen in Da To village were selected to be the case study in order to point that the conflicts in the coastal resources access between the state and the villagers were not the problems which had just happened because of the Economic and Social Development Plan. On the other hand, they were problems linked from the historical contexts between the bordering states and the central states. They had deep conflict relation between each other for a hundred of years. Firstly, there was a memory of Pattani people about being invaded by Thai State to expand the authority. Thai State was all the time superior to Pattani State. Secondly, the fishermen in Da To village located in the middle of Laem (peninsular) Pho or Laem Ta Si in Moo 4 (village number 4) area, Laem Pho Sub-district, Ya Ring District were Pattani State's citizens. The state once liberally ruled itself and had the continuous development of cultural society for ages--from Hindu-Buddhist culture until it changed into Malayu-Islam culture. Eventually, Pattani State became the center of Islam civilization and the center of Islam literature which was the origin of many outstanding Islam philosophers (U La Ma). There were several famous Por Naus or Thai Islam Islamic religious teaching institutes (Salae, 2005). Furthermore, there were two contemporary traditional mosques, Krue Se mosque on Pattani-Narathivat road and Da To mosque in Da To village. Both two mosques were built in the 17<sup>th</sup> century (Satha-anand, 1994). Therefore, it was admitted that Pattani State was one of the oldest Islam states in South East Asia (Vallibhotama, 2003) before it was destroyed by Thai State in the reign of the King Rama I. Pattani State was reduced in both the area and the population. Its governance area was divided into seven sub-states comprising Tani, Nongchik, Ya La, Ya Ring, Sai Buri, Ra Ngae and Raman. However, the seven sub-states still had liberal authority to rule themselves under the condition that they had to send the gold and silver trees as tax-polls to Bangkok through Singkhla's ruler. The first three sub-states directly sent the tax-poll by themselves (McCarthy, 1990).

Under the authority relation, Pattani State which was a small state in Malayu peninsula tried to oppose and negotiate with Thai State all the time. They had four wars against Siam State since the reign of the King Rama I. Eventually, the King Rama V changed the governance structure in 1901. The seven border sub-states were combined to be a part of Thai State under the supervision of the *Thesaphiban* administrator of Nakhon Srithammarat Precinct. It was the official beginning of the *Thesaphiban* system which was the governance system linking the governance authority from different parts to the central. Moreover, it was the end of the ruler position which used to be the

inherited position of people in the same family. Then, the state re-managed the governance regulation. The south region and Pattani Precinct were established in 1916 (Akkhasaeng, 2005). Then, after the governance reformation in 1932, the province governance was changed from *Thesaphiban* to the provincial governance. Since then, Pattani State was divided in to three provinces, Pattani, Ya La and Narathivat (Bunnag, 2004).

In addition, in the contexts of the differences in nationality, religion, culture and throughout the history, the Malayu Muslim people were intensely changed to become Thai people. This process was under the national integration policy. For instance, in the era of Field Marshal Por Phiboonsongkhram, Thai nationality was emphasized by the attempt to create being Thai on order to entail the realization of being unity. The people were pushed by the feeling of nationalism to create tie of affection or the feeling of being the same group as they had the same blood relationship. It was like every body in the country was relative (Sattayanurak, 2005). However, the concept of “being Thai” might be the main stream in many parts of the country. Besides, in Malayu Islam culture, the attempt to melt different identities led to the opposition of the cultural society assimilation policy. The opposition was violent, deep, wide and conducted by many methods. This included the fight to divide the area out of Thai governance system (Che Man, 2005).

It is indicated that Thai State as the central state and Pattani State as a border state have obvious different relation structure. Although one aspect gets along well with the created geological map, another aspect was the deep problems which cannot be combined to be the same thing. These are the differences between the Malayu Islam cultural ways in the custom contexts and Thai cultural ways in the modern-capitalism contexts. The cultural assimilation and the cross-culture are very difficult to do. In addition, over 50 years of the combination of Pattani State into Thai State’s governance, the scheme of Malayu Islam people’s ways of live has been put into the relation structure which the authority is combined and concentrated in the central. In contrast, the social relation structure of the Malayu Muslim people exists by Islam spirit. Therefore, being the self and being the other obviously appear in the contexts of the differences in religious belief system, cultural society and history. These contexts appear under Thai State’s pressure.

As a result, there are several gaps in the relationship between Thai State and Pattani State arising from different roots of civilization under Thai State political

culture. Since Pattani State was under the Thai absolute monarchy state until it is under modern Thai State, The Pattani Malayu Muslim people had always been passive. Thus, the conflicts in resources access between the state and the Da To Malayu Muslim fisherfolk cannot be separated from Pattani problems. Particularly, the policy about the management of shore fishery area which once belonged to the villagers was interfered by the capital groups and people who were in power. This caused the villagers to lose their cultural property rights. Therefore, the fishermen's opposition phenomena were not only to have equal chances to access the resources but also to fight for the existence of custom ways of life with the change to modernism. In this way, Pattani exists as "a frontier state" or "an outer part state interposed between central states" or "a custom state interposed between modern states." The custom power in this state is sharply challenging the modern power. Figure 2 shows the location of Da To village.

**Figure 2**  
**Map showing the location of Da To village, Laem Pho Sub-district, Ya Ring District, Pattani Province (picture taken by a satellite in 2002, provided by the South Geological Informatics Office, Songkhanakharin University, Songkhla Province)**



### The Contexts and the Forms of Coastal Resources Access

The fishery areas of Thai Buddhist fishermen in Cha-nger village and the Malayu Muslim fisherfolk in Da To village are in sub-bays of Thai gulf and share similar physical features. In addition, these two groups of fishermen have received the same effects from the sea fishery development policy. However, the two groups maintain their lives in different contexts in religious belief, history and relationship within community and between communities. They also have different relation contexts with the state. Therefore, each group has different forms of coastal resources access and different reactions to the state's development policy.

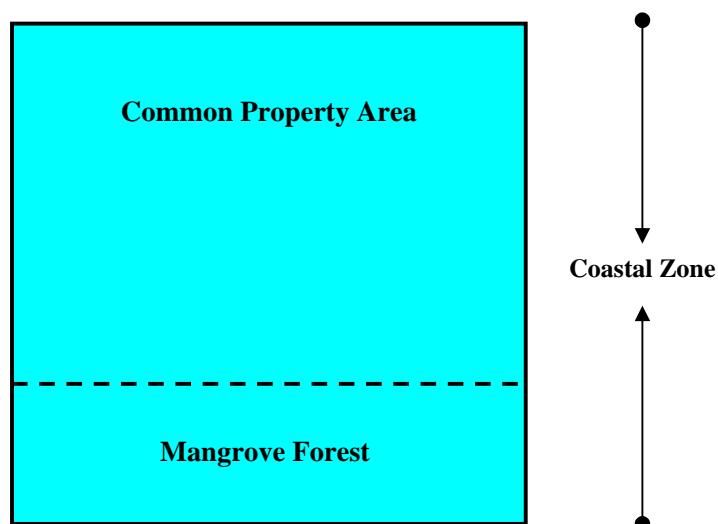
#### **Before the Sea Fishery Development and the First Decade of Commercial Fishery Development**

The small-scale fishermen in Cha-nger village adapt themselves from being farmers. The reason is that their family members increase, so the land shared to the members decreases. Due to this limitation, the farmers from the third generation adapt themselves to do fishery as their main job instead of farming with the support of the fertility of the sea in that area. Moreover, Thongpuek bay and Thana bay (sub-bays of Ban Don bay), are the areas where fishermen from many communities such as Thai Buddhist people, Thai-Chinese people and Thai Muslim people earn their living. These fishermen use the common property system which comes from moral economy reasons to be the idea in defining the areas. The common property system is used in order to reduce the conflicts between groups of fishermen who earn their living in the same areas.

For the small-scale fishermen in Da To village, they traditionally do fishery. There are at least 10 communities access to utilize the resources in Pattani bay. They define the sea based on the Islam belief system. The Malayu Muslim fishermen believe that there are three shared resources created by God for human's use. They are water, grass and fire. Everybody needs to use water and grass which are important for raising animals—the main job of Muslim people. Likewise, they need fire which refers to fuel (Kittaworn et al., 2000). To use the resources in the sea granted by God, everybody must concern about equality. Fishermen must share the resources as if they shared farming field. Both claiming the ownership and preemption were completely prohibited. It is because causing troubles to others is opposed to the principle of Islamic belief. Such religious belief plays an important role in maintaining life of the Malayu Muslim fishermen for ages. Especially, it is brought to be the scheme of managing community's resources.

Although the basic concept of the fishermen in the two areas is different from each other, they have the same form of resources access--the common property form. Apart from that, the fishery boundary of them covers from the mangrove forest to the coast. Mostly, they earn their living in the area within three kilometers from the shore. In fishery, they employ the knowledge which they get from nature observation and sharing with neighbors. In addition, they create fishing devices helping them to adjust to the ecological system. Therefore, the resources access and the property in the coastal areas depend on the defining and the rules approved by the fishermen sharing the same areas for a long time more than the possession in private property form. See figure 3.

**Figure 3**  
**Chart showing the use of coastal areas of Cha-nger fishermen and Da To fisherfolk before the development of the sea fishery and the first decade of the commercial fishery development (before 1967).**



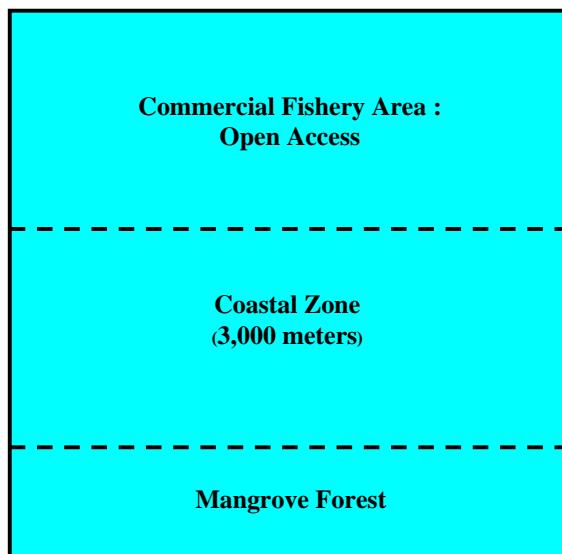
#### **The Commercial Fishery Development**

After the act to develop the ministries department and office in 1941, the provincial office began to have permanent officials. For the department of fishery, it consisted of provincial fishery and district fishery. Such authorities were established to be the state power machine to keep the state's benefits. After that, in 1947, the fishery act was declared to be used to completely control the sea resources utilization.

Since then, it was considered to be an important changed point of the sea resources utilization. The state had expanded its authority to manage the relation in the areas. The sea was divided into two areas—the commercial fishery area and the coastal fishery area. At the same time, the mangrove forest area was separated from the sea areas. Besides, in the areas utilization of the fishery, the fishermen did not separate the mangrove forest part and the coastal part from each other. Both two parts were the places they earned their living. Moreover, the state defined the sea in the commercial fishery area with only one meaning which was “the open access area.” There were the development of fishing devices and the encouragement to use efficient fishing devices to fish widely. In addition, the state encouraged the investment the aquatic animals transforming factories which caused the serious competition in fishing in the commercial fishery area.

The division of the sea area helped the state to manage people to use it. In the commercial fishery area, people who had the opportunity to access the area were groups of capitalists who could afford high technology devices in fishery business competition. Furthermore, they could move and expand their business throughout of Thai gulf . For the coastal fishery area, it was the place where the small fishery groups both Thai Buddhist and Malayu Muslim people earned a living. They maintained their lives with the nature and season conditions under various customs. See figure 4.

**Figure 4**  
**Chart showing the state's management of the sea areas in the commercial fishery development period (around 1957-1979)**

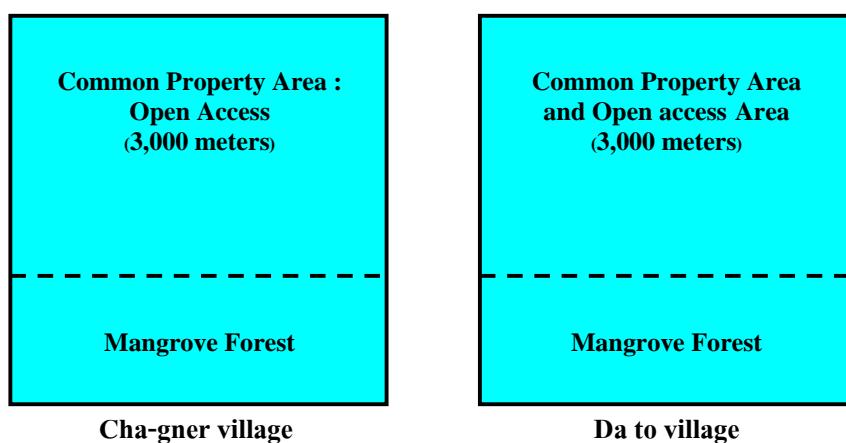


In the age of the commercial fishery development, the fishermen in both Cha-nger and Da To villages were affected by the state's commercial fishery development policy. However, they had different reactions. This caused their coastal area utilization under such policy to be more different from each other.

The fishermen in Cha-nger village and the fishermen from several communities earned their living in the same area. They exchanged information among all groups. For example, when they saw their neighbors adjusting the seine from large technology to small boats, making a lot of profits, they followed the neighbors. This helped them to easily adjust themselves from fisherfolk to commercial fishermen and quickly adapt to the market system. They had the close relation with the market system such as "Kapi" (shrimp paste) traders and sub-middlepersons both inside and out side the area since Cha-nger community once was the rice trading center of Chinese merchants. Moreover, Cha-nger community used to be the trading center of the coastal villages and the villages located in the deep land. Although the Cha-nger fishermen still utilized the area in common form, the definition of the area gave more significance to the individual level. At the moment, there was the resources access in the open access form.

For the fishermen in Da To village, they still had the ways of life which related to the nature and season conditions on the foundation of the religious belief system. They still accessed the resources in common form. However, the commercial fishery development caused a lot of changes in Pattani bay. The fishermen in Da To village and the villages around the bay suffered severe troubles from the invasion of Thai-Buddhist and Thai-Chinese capital groups. They used high technology for fishery. When the villagers found that they could not oppose these capital groups, they imitated them by applying the large seine to use with their boats. Therefore, the use of large seine was expanded from the commercial fishery boat to the small boats of the Malayu Muslim fishermen in the area. The problems about using large seine became the problems in local level which seemed to be difficult to solve because those who used the large seine became the Malayu Muslim people or even their relatives. Thus, defining the sea which had the root from Islam belief system was piled up by economic reasons. This caused the resources access in Pattani bay to have both common property form and open access form. See figure 5.

**Figure 5**  
**Sea area utilization of Cha-nger and Da To small-scale fishermen in the commercial fishery development period**

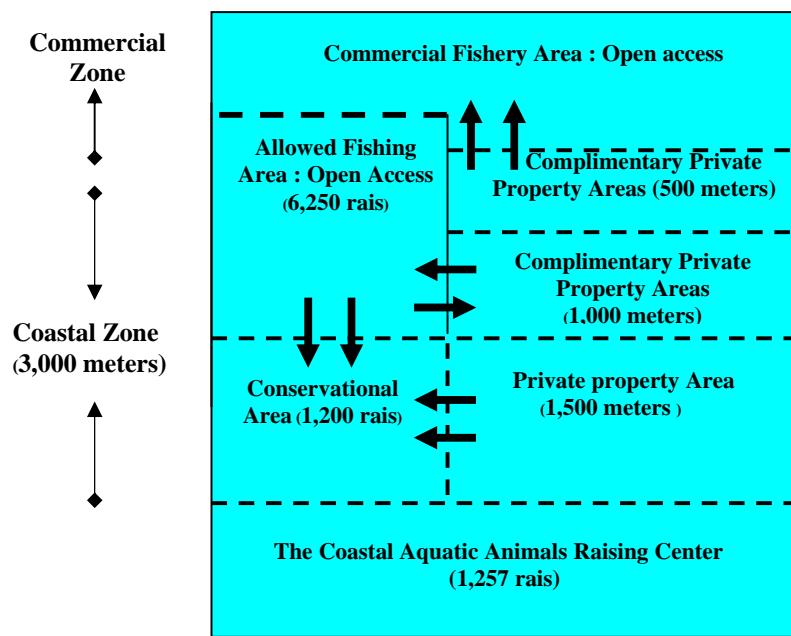


#### **The Development of Coastal Aquatic Animals Raising**

The expansion of economic area by the state's management of the aquatic animals raising area in the coastal fishery area severely affected the fishermen in both Cha-nger and Da To villages. It was because such policy provided chances for private sections to possess the sea. That is to say, the ways to maintain lives of the villagers who shared the same resources in the same area were changed. However, in 1998 the private area for raising aquatic animals was expanded to all area of Thongpeuk bay-Thana bay. The shared area of the villagers was intervened by both the state policy and capitalists and by both local men in power and even villagers. Therefore, the Cha-nger fishermen adopted themselves to be both owners of shellfish sub-farms and coastal fishermen at the same moment.

Apart from relying on the law gaps, the fishermen's invasion into the sea also needed the acceptance from the villagers in possession of the areas. Since the shared area was continuously decreased, the fishermen needed to have their own areas to earn their living. Moreover, they had to negotiate to snatch and insert themselves all the time to use each area. Thus, all parts of the areas were varied and did not have exact boundary. The forms of resources access of the fishermen were semi state-semi private form, semi private-semi common form and also semi state-semi private-semi common from. See figure 6.

**Figure 6**  
**Cha-nger fishermen's use of sea area in the period of the coastal aquatic animals raising policy**

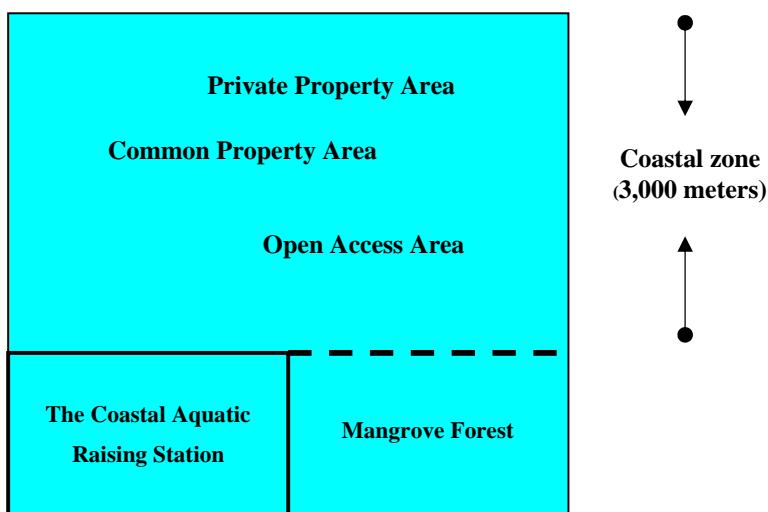


In Da To village, although the state had assigned the coastal aquatic animals raising policy since the Fourth Social and Economic Development Plan was used, and it was declared to use in many east coastal areas of the south, there was the stern opposition by the villager fishermen. Most of them wanted the former fishery since they did not have capital to run a shellfish farm. Moreover, encouraging the external private organizations to run shellfish farms caused the benefit snatching between fishermen from communities in Pattani bay. Meanwhile, Pattani was the area involving political problems, so if there were any conflicts in this area, they would be severer than in other areas which have similar problems. In 1982, although the state encouraged the villagers to raise cockles in the area in front of To Som village, the allowed shellfish raising areas were not officially announced. Then, the fishermen in Tan Yong Lu Lo community were supported by the state's budget to raise shellfish during 1987-1993. In addition, there was a preparation to announce the allowed shellfish raising area in 6,381 *rais* (1 *rai* is equivalent to 1,600 square meters) since 2002.

However, in practical ways, it was found that there were groups of people who accessed Pattani bay to raise shellfish in the area of Muaeng District, Laem Pho Sub-district and some parts of Ya Ring District. This caused the overlap of the three forms of area utilization—open access form, common property form and private property form. Although the state had held back the announcement of the private area utilization temporarily, there was the complicated movement at the local level. Particularly, there was the movement of the local authority groups, local politician groups, the external capital groups and the villagers in some communities who go along with raising shellfish.

The use of the area in private form expanded over Pattani bay. For the fishermen in Da To village, the use of the area in private property form intervened the use of area in common property form which was practiced by the former villagers. Thus, it led to the complicated conflicts in Pattani bay. See figure 7.

**Figure 7**  
**Use of sea area of the fishermen in Da To village during the period of the coastal aquatic animals raising policy**



## **Conflicts, Negotiation Strategies and the Adaptation of the small-scale Fishermen under the State's Development Policy**

### **The Thai Buddhist Fishermen in Cha-nger Village**

The conflicts in the Cha-nger fishermen community arose during the aquatic animals raising policy. When the state had expanded the economic area into the coastal fishery area and encouraged private groups to raise aquatic animals, the interaction between the fishermen and the state came out in the conflict form more than the relying on form or giving cooperation. The Cha-nger fishermen earned their living by self-reliance. They independently utilized the resources in the area throughout the time. Therefore, when the state came to manage the resources in the area and provided opportunities for private groups to officially possess the area, there was the refusal and opposition leading to the conflict crisis in area snatching in both state and local level.

The fishermen had conflicts with the state after the state authorities possessed the mangrove forest area and closed the exit to the sea in that area. At the same moment, the conservational area was declared, and it intervened the common area of the villagers. The sum of the state's area was approximately 2,500 *rais*. To deal with the conflicts, the fishermen employed the negotiation strategies, beginning with group negotiations. When they found that this form of negotiation did not work, they began individual negotiations. For example, they openly negotiated to use the area, or secretly negotiated under personal relationship. Sometimes, they stealthily did fishery, stealth seashell, stealthily invaded the state's area by continuously moving the shellfish enclosure polls, or neglecting when the state asked for cooperation etc.

At the local level, the official leaders in Cha-nger community, who rule the community by their superiority based on social connection system as well as family and relatives system, supported the state's aquatic animals raising policy since they saw that they would receive benefits from their cooperation. This caused the Cha-nger villagers to be obviously separated into two groups—the group wanting to possess the sea area for raising shellfish and the group wanting the common area to earn a living. However, the state's encouragement of raising aquatic animal provided opportunities for the authority groups in the area, the local politician groups, the capitalist groups and even villager groups to possess more area in the sea.

Under the conditions in changing of coastal area utilization including the decrease of the common property area, the increase of private property area and the opposition which never had the chance to succeed, the Cha-nger fishermen changed their reaction. From once they used to oppose, they gradually changed their idea and accepted the change. They turned to the negotiations by many more complicated strategies to access the resources. These negotiations were conducted by both individuals and groups. An example of individual negotiation is that when the fishermen saw that their common property area was decreased, they would refer to the necessity to posses the sea in order to have more area to earn their living. Another one is that when they had to negotiate with the fishermen who used large seines, they would refer to the conservation of aquatic animals in the shellfish enclosures. When the *Koei* (a tiny shrimp) season came, they would refer to being fisherfolk who had been making *Kapi* since their ancestors. Some fishermen who did not have their personal area would ask to share the area with the raising fishermen. Moreover, they negotiated by invading the sea and continuously opened new areas to build shellfish farms. For group negotiations, they would be conducted when the fishermen could not negotiate by individual. For instance, the inequality in the area possession caused the Cha-nger fishermen to conduct the group negotiations. They called for the fairness from neighbors and the state to fairly apportion the sea area, for example. The Cha-nger fishermen employed the relative and friend connection to be a condition in negotiation more than other conditions. It is because the villagers formerly helped and relied on each other by the relative system. Negotiation by this form led to the more intense adjustment on family level.

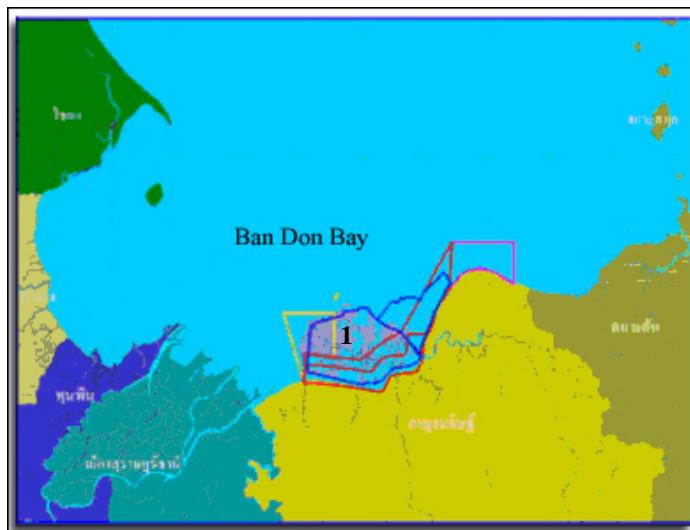
Most of people who accessed to posses the sea area did not pay attention to following the laws which had already explicitly assigned the area allowed to raise shellfish. It was because in the situation that many groups of people invaded the sea, and the state could not thoroughly control them, it brought the unfairness in the area possession. It was found that most area was possessed by people who had power in the community. Some parts of the area were transferred to groups of capitalists. Some were sold to the fishermen from outside the community, and some were rent by villagers to raise shellfish.

Nowadays, Cha-nger fishermen become the minor shellfish farms owners who have their own sea areas. Fishermen in good status or quite good status are those who have run oyster farms since the state allowed private people to preempt and posses the sea. These people are the models for other fishermen to invade more sea area to run

shellfish farms. The area has been invaded more and more, from the brackish water area to the salt water area. The dividing lines according to the laws never exist in their perspective. They rely on the sea ecological cost to help them adapt in economic resources access.

However, amidst the snatching of the areas which are hard to find, and those area are important for maintaining life, Cha-nger fishermen concern about facing problems and personal benefits more than permanently using the resources. Cha-nger fishermen have recreated hundreds of dividing lines in the sea. These lines that who the owners of the areas are. However, since the areas in the sea can be sold though it is unofficial, the areas are easily transferred to the rich fishermen. As a result, it is obvious that private property pressures poor fishermen to continuously invade the sea. This is because to access the private property areas, it depends on capital, power, technology, labors and various forms of negotiation. Common property system which used to be the foundation of the area sharing utilization is changed to be private property system. Moreover, the economic reasons are beyond moral reasons. See figure 8.

**Figure 8**  
**Chart showing the shellfish raising area in Thongpuek bay-Thana bay in 2005**  
**(figure provided by the fishery office, Surat Thani in 2005)**



**Note :** 1 indicates the shellfish area

### **The Malayu Muslim Fisherfolk of Da To Village**

The Malayu Muslim fisherfolk of Da To village existed among surrounding conflicts. They refused the change coming from the state's development. They did not believe in the open property system which allows the Thai-Buddhist and Thai-Chinese fishermen to utilize the sea destructively. The Da To fishermen had to consult each other about the disaster which is going to happen to them if the fish in the sea are completely caught by the boat using large seines. Day after day, the Da To fishermen kept watching the non-local fishermen caught excessive amount of fish from the bay.

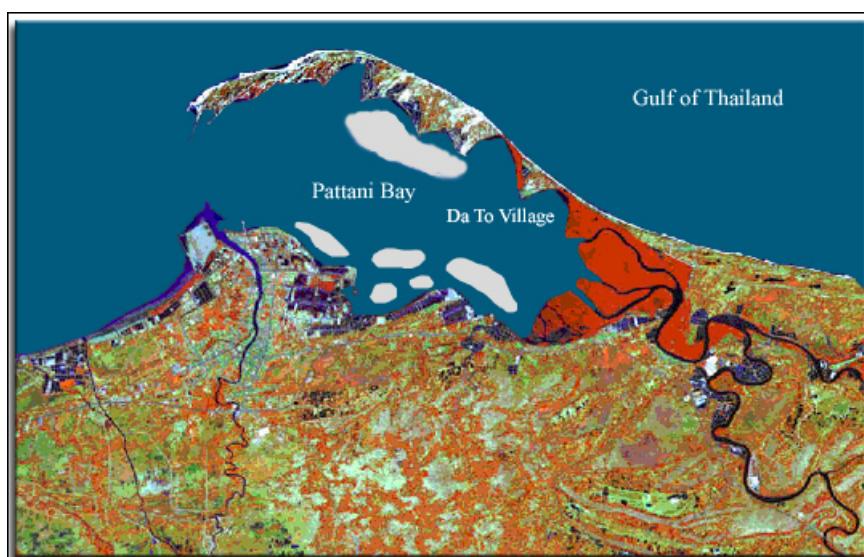
They are worried about their own future and also the future of their offspring's. They began the negotiation by boycotting those who cause their troubles. For example, they did not trade and associate with these people. This way was the non-violent negotiation. They had tolerated the state of troubles for many years. Eventually, they could not be passive any longer. Since fish were continuously decreased, and the Da To fishermen maintained their lives with hardship, they gathered into a group to react the commercial capital fishery groups by violence. Amidst the stressed atmosphere of conflicts, the private development organizations began to access the villages around Pattani bay to work conservational jobs. The villagers were encouraged to grow mangrove forest and communicate more between villages. The power of the villagers began to expand from village to village. It led to the establishment of official organizations network. At the same time, the fisherman families began to adapt themselves on individual level by going to find jobs in Malaysia.

After the use of the area in private form has expanded into Pattani bay, the sea areas are occupied by local authority groups. Until many years passed by, the shared area was decreased. The Da To fishermen had negotiated with the state under the help of the folk fishermen organizations network. Their purpose was to pressure the state to cancel the concession in raising shellfish in Pattani bay. Since the private property system was opposed to the Islam principle, the use of the areas in personal form was resisted by the Malayu Muslim fishermen.

The fisherfolk's negotiations developed from unofficial grouping on village level and up to provincial level. There were many processes that the fisherfolk negotiated. They chose to negotiate with the state instead of confronting the local authority groups. Then, there were external organizations which came to the area to encourage raising cockles in network villages. The leaders of many villages turned to

raise cockles. Therefore, the negotiation power of the fisherfolk organization on the provincial level grew weaker. According to the failure of the fisherfolk organization on the network level, the Da To fisherfolk separated themselves from the organization and turned to negotiate on community level. In addition, they returned to the traditional belief to create the collective consciousness of the people in the community. At the same moment, they employed the concept of "The Right beyond the Sea" or the right to earn a living in the sea in front of their village to be the tool for the recreation of the common area. The area was recreated under the conflicts caused by the development policy of the state. See figure 9.

**Figure 9**  
**Unofficial shellfish raising area in Pattani bay**



**Note :**  indicates the shellfish raising area.

## Conclusion

The important condition causing the two ethnic groups of fishermen in two communities to have different conflicts, negotiation strategies and adaptation is the religious belief system. The way of maintaining life of Da To fishermen is under the Islamic belief. The more they are invaded from the outside, the stricter they become

with religion. They employ the religious belief to be the tool in negotiation and recreation the concept of being “Oghae kela-ok” or people who independently earn a living in the sea bestowed by God. In addition, they return to “Da To Pa Yae” which is their traditional belief. However, the failure of the fishermen network in the area is another important factor to make the Da To fishermen realize that they need to strengthen their community under the principle of “The Right beyond the Sea.” As a result, the fishermen in Da To community still firmly exist together under the relation system at both family level and community level.

As for the fishermen in Cha-nger village, they have been through harsh conflicts in their community which caused each of them to individually adapt to the problems; cooperation among one another rarely occurred. They mainly pay attention to their family's living conditions. Personal benefit always takes priority over shared benefit. However, the Cha-nger fishermen are able to come together as a group if they think that they will gain benefits from the groups. The relationship of the people in the community is stronger at the family and relatives level than at the community level.

The result of this study indicates that fishermen in different ethnic groups do not always have the same response to the development policy of the state. Thus, the state should consider new dimensions in the management of resources. Particularly, the common property system should be conserved since people in the society have different economic statuses. Participation of people in the community is important for the management of resources. It is considered a suitable method to solve the complicated conflicts in the area.

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